

Exhibit C

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\* Also admitted to DC and VA  
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Via Regular Mail

April 15, 2007

TO: All Counsel per attached rider

Re: Plaintiffs' Expert Witness List

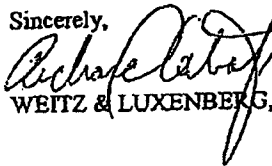
Dear Counselors:

Enclosed please find Plaintiffs' Expert Witness List for the May 2007, in *extremis* trial cases.

Please be advised that plaintiffs reserve their right to (1) amend and/or supplement this list, as necessary and applicable; (2) call witnesses named in defendants' witness lists, answers to interrogatories and depositions; (3) amend and/or supplement this list as to those defendants who have failed to respond to Interrogatories as provided in the Amended Case Management Order; and (4) adopt any witness list set forth by any other plaintiff's firm and call any witness listed thereto.

If you have any questions regarding this matter, please feel free to contact the undersigned.

Sincerely,

  
WEITZ & LUXENBERG, P.C.

Richard Cabo Jr.



W-INCH-30

printed 4/12/07

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

IN RE: NEW YORK CITY ASBESTOS LITIGATION

ALL MAY 2007 IN-EXTREMIS CASES

Index #: 116650/03

EXPERT WITNESS  
DISCLOSURE  
PURSUANT TO  
CPLR 3101 (d)

PLEASE BE ADVISED, that plaintiffs intend at the time of Trial to call to the witness stand, live or by deposition, the following individuals:

CHARLES AY

a) Mr. Ay is a former asbestos worker/insulator who worked in that trade at various locations including, shipyards, power plants, refineries and commercial construction sites. He would be called to testify only in those cases in which the plaintiff alleges exposure to asbestos used in connection with pumps, turbines, boilers and related equipment which exposure is challenged by defendant(s) or may be challenged by defendant(s).

b) He is certified by the United States Environmental Protection Agency to detect asbestos in place and on the proper removal methods of such asbestos. His certification and training includes methods of industrial hygiene, detection and identification of asbestos and non-asbestos materials, and on the risks posed by asbestos.

c) He received training from the U.S. Navy on methods of asbestos detection and removal on board ships and in shore side facilities. Mr. Ay may testify as to plaintiff's circumstance, opportunity for exposure and generally to practices, procedures, the types of ships, the types of asbestos products used in shipyards, on board ships, in Marine construction and at industrial sites, including but not limited to refineries and commercial building sites. He may testify as to the manner in which asbestos containing products were used, the tendencies of asbestos-containing products to release dust into the atmosphere, and the manner of proper removal and disposal.

BARRY CASTLEMAN, Sc.D

Dr. Castleman is an environmental consultant and may testify as to state-of-the-art issues. Specifically, Dr. Castleman will testify concerning the availability of scientific information as to the hazards of asbestos, when information concerning those hazards became available, the nature of the information that became available, the form of available scientific information and methods of its retrieval. Specifically, Dr. Castleman will trace the history of knowledge of asbestos hazards from the earliest of times, and in the modern era and will talk about the roles of any publications by various trade associations including, but not limited to the Industrial Hygiene Foundation, The National Safety Council, The American Society of Mechanical Engineers and The American Ceramics Society. In addition, Dr. Castleman may testify as to the propensity of various asbestos containing products to release asbestos dust into the atmosphere, as well as the levels at which asbestos will produce various diseases. Dr. Castleman has been deposed and has previously testified on these issues on many occasions and such testimony is available to defendants. Dr. Castleman will also testify as to corporate knowledge of the hazards of asbestos and conduct, including attempts to suppress knowledge and conspiratorial efforts, and trade association's knowledge, conduct and suppression of information. Dr. Castleman's book on the above subjects details the scope of his testimony and is publicly available.

RICHARD L. HATFIELD

Mr. Hatfield is an industrial hygienist who specializes in the analysis of asbestos in various types of environments. He will testify regarding tests performed relating to the nature and qualification of asbestos that is released as a result of working with asbestos-containing materials. Specifically, Mr. Hatfield will testify regarding the general background levels of asbestos release; bystander levels of exposure of the fiber release; air samples in the personal breathing zone generated from the fiber release; and fiber release and contamination on clothing and other personal contamination. Mr. Hatfield has been deposed and has previously testified on these issues on many occasions and such testimony is available to defendants.

WILLIAM LONGO, PH.D.

a) Dr. Longo received his Bachelor of Science from the University of Florida in 1977. He received his Masters of Science in Materials Science and Engineering from the University of Florida in 1980 and his Ph.D. in Materials Science and Engineering from the University of Florida in 1983.

b) Dr. Longo is a scientist specializing in the measurement and analysis of materials and determining the constituent ingredients in materials, and characterizing those materials and ingredients. Dr. Longo has examined and tested various asbestos products. Dr. Longo has examined the amount of dust released by mixing and/or manipulating various asbestos-containing products. These analyses include current and past techniques used to measure asbestos content in dust. Dr. Longo may testify on his results from the release of asbestos-containing dust from the various products that he has tested by either, the mixing, application, removal or normal use of those products. Dr. Longo has quantified the asbestos release generated from the aforementioned uses of these materials. Dr. Longo may testify regarding the general background levels of asbestos release, bystander levels of exposure of the fiber release, air samples in the personal breathing zone generated from the fiber release and fiber release and contamination on clothing and other personal contamination. He may compare his result of these dust studies by analysis using both particles per cubic foot, fibers per cc, as well as current and past techniques used to analyze asbestos content in dust. Dr. Longo may testify that the levels of asbestos dust measured during these tests exceeded established TLV's and PEL's in many instances. Dr. Longo may compare and contrast his findings with other scientific findings. Dr. Longo may offer opinions concerning testing which has been performed on behalf of defendants or the lack of testing of defendants' products. Dr. Longo will testify regarding his workplace simulations for gasket removal and installation, brake work and tile work. Dr. Longo will testify consistent with the reports available for each test.

c) Dr. Longo's testimony is based upon his education, expertise, experience, review of literature, digests, case materials, records, notes, pleadings and documents produced in asbestos litigation.

STEVEN MARKOWITZ, M.D.

a) Dr. Markowitz is a Professor and Director of the Center of the Biology of Natural Systems at Queens College, City University of New York.

b) Dr. Markowitz, certified by the American Board of Preventative Medicine in Occupational Medicine and by the American Board of Internal Medicine in Internal Medicine will testify based upon his review of Plaintiff's medical records, Plaintiff's interrogatory responses and other materials as outlined in his reports. Dr. Markowitz may testify with regard to Plaintiff's diagnosis. Dr. Markowitz may also testify that plaintiff's diagnosis and symptoms are related to, and caused by, his exposure to asbestos, may testify generally about the plaintiff's medical treatment history; his asbestos exposure history; the nature of his diagnosis, and its causal relationship with the plaintiff's occupational exposure to asbestos. Dr. Markowitz may also testify that plaintiff's diagnosis and symptoms are related to and caused by his exposure to asbestos (including minimal amounts of asbestos) and that each and every exposure contributed to his diagnosis. Additionally, Dr. Markowitz may testify that plaintiff has incurred medical expenses as a result of his asbestos-related disease and that said medical bills are reasonable and necessary. Dr. Markowitz may testify that Plaintiff has required in the past, treatment and/or hospitalization (and the reasonable medical expenses therefore) as a result of his exposure to asbestos, asbestos-related disease.

c) Additionally, Dr. Markowitz may also testify as to the various diagnostic procedures and treatments provided to the plaintiff, as well as his pain and suffering during the course of such diagnostic and treatment modalities and the pain and suffering commonly associated with progression of the processes until the time of his death. Dr. Markowitz may testify that based on epidemiological studies, plaintiff's asbestos-related disease was caused by his exposure to Defendants' asbestos-containing products. Dr. Markowitz may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature. Dr. Markowitz may also testify as to the hazardous nature of asbestos and asbestos-containing products as a result, that such

asbestos and/or asbestos-containing products are unreasonably dangerous. Further, Dr. Markowitz may testify concerning the increased risk of cancer faced by asbestos exposed workers, including brake workers and the epidemiological link between asbestos and cancer. More specifically, Dr. Markowitz may testify about the medical and scientific literature as it relates to the risk of mesothelioma in human beings and animals in relation to exposure to asbestos, and as such literature relates to issues such as "Low Dose"; "Encapsulation"; "Fosterite"; and the propensity for development of mesothelioma as a result of exposure to Chrysotile asbestos. Dr. Markowitz may testify concerning fiber types of asbestos generally and that all types of asbestos fibers are capable of causing all asbestos-related diseases and all forms of asbestos-related cancers.

d) Dr. Markowitz may opine as to the causal relationship between occupational asbestos exposure and disease of latency related thereto, such as mesothelioma. Dr. Markowitz is expected to rely on a number of medical articles, his own clinical and medical experience, and his evaluation of the relevant body of medical literature on this subject. Dr. Markowitz's testimony is based upon his experience, education, expertise, review of the medical, scientific and industrial hygiene literature case materials, pleadings, depositions and documents from this and other asbestos litigation.

**JACQUELINE MOLINE, M.D., MSc**

a) Dr. Moline, Board Certified in Internal Medicine and Preventative Medicine, with an Occupational Medicine specialty, may testify based upon her clinical experience as a physician, as well as her research in the field.

b) Dr. Moline, certified by the American Board of Preventative Medicine in Occupational Medicine and by the American Board of Internal Medicine in Internal Medicine will testify based upon his review of Plaintiff's medical records, Plaintiff's interrogatory responses and other materials as outlined in his reports. Dr. Moline may testify with regard to Plaintiff's diagnosis. Dr. Moline may also testify that plaintiff's diagnosis and symptoms are related to, and caused by, his exposure to asbestos, may testify

generally about the plaintiff's medical treatment history; his asbestos exposure history; the nature of his diagnosis, and its causal relationship with the plaintiff's occupational exposure to asbestos. Dr. Moline may also testify that plaintiff's diagnosis and symptoms are related to and caused by his exposure to asbestos (including minimal amounts of asbestos) and that each and every exposure contributed to his diagnosis. Additionally, Dr. Moline may testify that plaintiff has incurred medical expenses as a result of his asbestos-related disease and that said medical bills are reasonable and necessary. Dr. Moline may testify that Plaintiff has required in the past, treatment and/or hospitalization (and the reasonable medical expenses therefore) as a result of his exposure to asbestos, asbestos-related disease.

c) Additionally, Dr. Moline may also testify as to the various diagnostic procedures and treatments provided to the plaintiff, as well as his pain and suffering during the course of such diagnostic and treatment modalities and the pain and suffering commonly associated with progression of the processes until the time of his death. Dr. Moline may testify that based on epidemiological studies, plaintiff's asbestos-related disease was caused by his exposure to Defendants' asbestos-containing products. Dr. Moline may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature. Dr. Moline may also testify as to the hazardous nature of asbestos and asbestos-containing products as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. Further, Dr. Moline may testify concerning the increased risk of cancer faced by asbestos exposed workers, including brake workers and the epidemiological link between asbestos and cancer. More specifically, Dr. Moline may testify about the medical and scientific literature as it relates to the risk of mesothelioma in human beings and animals in relation to exposure to asbestos, and as such literature relates to issues such as "Low Dose"; "Encapsulation"; "Fosterite"; and the propensity for development of mesothelioma as a result of exposure to Chrysotile asbestos. Dr. Moline may testify concerning fiber types of asbestos generally and that all types of asbestos fibers are capable of causing all asbestos-related diseases and all forms of asbestos-related cancers.



d) Dr. Moline may opine as to the causal relationship between occupational asbestos exposure and disease of latency related thereto, such as mesothelioma. Dr. Moline is expected to rely on a number of medical articles, her own clinical and medical experience, and her evaluation of the relevant body of medical literature on this subject. Dr. Moline testimony is based upon her experience, education, expertise, review of the medical, scientific and industrial hygiene literature case materials, pleadings, depositions and documents from this and other asbestos litigation.

**ELAINE PANITZ, MD, MPH, FACP, FCPM**

a) Dr. Panitz received her bachelor's degree from Vassar College in 1968. She received her medical degree from Harvard in 1972 and her Master's in Public health from Wisconsin in 1998.

b) Dr. Panitz, certified by the American Board of Preventative Medicine in Occupational Medicine and by the American Board of Internal Medicine in Internal Medicine will testify based upon his review of Plaintiff's medical records, Plaintiff's interrogatory responses and other materials as outlined in his reports. Dr. Panitz may testify with regard to Plaintiff's diagnosis. Dr. Panitz may also testify that plaintiff's diagnosis and symptoms are related to, and caused by, his exposure to asbestos, may testify generally about the plaintiff's medical treatment history; his asbestos exposure history; the nature of his diagnosis, and its causal relationship with the plaintiff's occupational exposure to asbestos. Dr. Panitz may also testify that plaintiff's diagnosis and symptoms are related to and caused by his exposure to asbestos (including minimal amounts of asbestos) and that each and every exposure contributed to his diagnosis. Additionally, Dr. Panitz may testify that plaintiff has incurred medical expenses as a result of his asbestos-related disease and that said medical bills are reasonable and necessary. Dr. Panitz may testify that Plaintiff has required in the past, treatment and/or hospitalization (and the reasonable medical expenses therefore) as a result of his exposure to asbestos, asbestos-related disease.

c) Additionally, Dr. Panitz may also testify as to the various diagnostic procedures and treatments provided to the plaintiff, as well as his pain and suffering during the course of such diagnostic and treatment modalities and the pain and suffering commonly associated with progression of the processes until the time of his death. Dr. Panitz may testify that based on epidemiological studies, plaintiff's asbestos-related disease was caused by his exposure to Defendants' asbestos-containing products. Dr. Panitz may testify regarding exposure levels of asbestos, at what levels asbestos may cause disease, and as to when this was known in the medical and scientific literature. Dr. Panitz may also testify as to the hazardous nature of asbestos and asbestos-containing products as a result, that such asbestos and/or asbestos-containing products are unreasonably dangerous. Further, Dr. Panitz may testify concerning the increased risk of cancer faced by asbestos exposed workers, including brake workers and the epidemiological link between asbestos and cancer. More specifically, Dr. Panitz may testify about the medical and scientific literature as it relates to the risk of mesothelioma in human beings and animals in relation to exposure to asbestos, and as such literature relates to issues such as "Low Dose"; "Encapsulation"; "Fosterite"; and the propensity for development of mesothelioma as a result of exposure to Chrysotile asbestos. Dr. Panitz may testify concerning fiber types of asbestos generally and that all types of asbestos fibers are capable of causing all asbestos-related diseases and all forms of asbestos-related cancers.

d) Dr. Panitz may opine as to the causal relationship between occupational asbestos exposure and disease of latency related thereto, such as mesothelioma. Dr. Panitz is expected to rely on a number of medical articles, her own clinical and medical experience, and her evaluation of the relevant body of medical literature on this subject. Dr. Panitz testimony is based upon her experience, education, expertise, review of the medical, scientific and industrial hygiene literature case materials, pleadings, depositions and documents from this and other asbestos litigation.

DOUGLAS POHL, M.D., Ph.D.

a) Dr. Pohl may testify as to the general medical concepts relating to asbestos diseases, their causation and the issue of the state-of-the-art of knowledge about the dangers of asbestos.

b) Specifically, Dr. Pohl will testify concerning the availability of scientific information as to the hazards of asbestos, when information concerning those hazards became available, the nature of the information that became available, the form of available scientific information and methods of its retrieval. Specifically, Dr. Pohl will trace the history of knowledge of asbestos hazards from the earliest of times, and in the modern era.

c) In addition, Dr. Pohl may testify as to the propensity of various asbestos containing products to release asbestos dust into the atmosphere, the levels at which asbestos will produce various diseases, as well as the propensity of all fiber types to produce disease. Dr. Pohl has been deposed and has previously testified on these issues on many occasions and such testimony is available to defendants. Dr. Pohl will also testify as to corporate knowledge of the hazards of asbestos and conduct, including attempts to suppress knowledge and conspiratorial efforts, and trade association's knowledge, conduct and suppression of information.

d. Dr. Pohl's testimony is based upon his experience, education, expertise, review of the medical, scientific and industrial hygiene literature case materials, pleadings, depositions and documents from this and other asbestos litigation.

Dated: New York, New York  
April 13, 2007

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By: 

ERIK JACOBS

To: All Defendants per Attached Rider

As of 3/8/07

**May 07 In-Extremis Service Rider**

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COUNSEL FOR WAYNE COMBUSTION SYSTEMS F/K/A WAYNE HOME EQUIPMENT

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As of 3/8/07

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1345 AVENUE OF THE AMERICAS, 7TH FLOOR  
NEW YORK, NY 10105  
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PETER C. SEGAL, ESQ.  
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140 BROADWAY, SUITE 3100  
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PHONE # (212) 973-8000  
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COUNSEL FOR WILLIAMSBURG STEEL PRODUCTS CO., INC., AND WJW STEEL PROPERTIES LTD.

JOHN RONCA, JR. ESQ.  
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5 SOUTH REGENT STREET, SUITE 517  
LIVINGSTON, NJ 07039  
PHONE # (973) 994-2030  
FAX # (973) 994-2113  
COUNSEL FOR YORK INDUSTRIES CORP.

ACE JUTE PACKING COMPANY  
218 E. CHESTNUT STREET  
HANOVER, PA 17331

ALGOMA DOOR, INC.  
C/O WENDELL E ELLSWORTH  
2634 HILLSIDE HEIGHTS  
GREEN BAY, WI 54311

AMERI-DOOR, INC., as successor-in-interest to and f/k/a ALGOMA DOOR, INC.  
C/O WENDELL E ELLSWORTH  
2634 HILLSIDE HEIGHTS  
GREEN BAY, WI 54311

ATLANTIC STEEL BOILER CORPORATION  
22ND STREET & WASHINGTON AVENUE  
PHILADELPHIA, PA 19147

AMERICAN FINANCIAL GROUP, INC., f/k/a AMERICAN PREMIER UNDERWRITERS, INC., individually and as successor in  
liability to NEW YORK CENTRAL RAILROAD  
1 EAST 4TH STREET, SUITE 919  
CINCINNATI, OH 45202-3717

AMERICAN PREMIER UNDERWRITERS  
C/O BURNS WHITE HICKTON  
2400 5TH AVENUE  
BLDG. 120  
PITTSBURGH, PA 15222

AMERICAN PREMIER UNDERWRITERS, INC.  
1 EAST 4TH STREET, SUITE 919  
CINCINNATI, OH 45202-3717

CONSOLIDATED RAIL CORPORATION  
CT CORPORATION SYSTEM  
1835 MARKET STREET  
PHILADELPHIA, PA 19103

CLAYTON INDUSTRIES, INC.  
41 STATE STREET  
ALBANY, NY 12207

DAVIS & WARSHOW, INC.  
57-22 49TH STREET  
MASPETH, NY 11378

DUSING ASSOCIATES, INC., INDIVIDUALLY AND AS SUCCESSOR IN INTEREST AND F/K/A DUSING & HUNT, INC.  
(1ST DIR:) FREDERICK C. DUSTING  
393 HUMBOLDT & PARKWAY  
BUFFALO, NY 14208

As of 3/8/07

EIGEN SUPPLY CO., INC.  
238 WEST 17 STREET  
NEW YORK, NY 10011-5302

GIANT SUPPLY CORP.  
20 BROOKLYN AVENUE  
MASSAPEQUA, NY 11758

GLAUBER PLUMBING SUPPLY CO., INC.  
DREYER & TRAUB  
90 PARK AVENUE  
NEW YORK, NY 10016

GLAUBER, INC.  
DREYER & TRAUB  
90 PARK AVENUE  
NEW YORK, NY 10016

GREENPOINT FRIEDLAND STEEL CORP.  
UNKNOWN AT PRESENT TIME

GREENPOINT STEEL WAREHOUSE CORP.  
C/O BENJAMIN HEFFNER  
60 WALL STREET  
NEW YORK, NY 10005

H.C. OSWALD SUPPLY CO., INC.  
120 EAST 124 STREET  
NEW YORK, NY 10035

HARGO LABORATORIES, INC., AS SUCCESSOR BY MERGER TO HARRIS INDUSTRIES, INC.  
733 SUMMER STREET  
STAMFORD, CT 06901

HEIDELBERG USA, INC., as successor in interest TO HARRIS CORPORATION, and as successor to HARRIS-SEYBOLD-  
POTTER COMPANY and PREMIER-POTTER COMPANY  
3391 TOWN POINT DRIVE  
SUITE 400  
KENNESAW, GA 30144

HONDA MOTOR CO LTD.  
2-1-1 MINAMI AOYAMA, MINATO-KU  
TOKYO 107-8556 JAPAN

HONDA MOTOR PARTS SERVICE CO, LTD.  
NO. 27-8, 6-CHOME JINGUMAE  
SHIBUYA-KU 150  
TOKYO, JAPAN

HONDA MOTOR PARTS SERVICE CO., LTD.  
NO. 27-8, 6-CHOME JINGUMAE  
SHIBUYA-KU 150  
TOKYO, JAPAN

L BURACK, INC.  
FANNY BURACK (1ST DIR.)  
46 SOUTH 14TH AVENUE  
MOUNT VERNON, NY 10550

INTERNATIONAL HEATING AND AIR CONDITIONING CORPORATION, as successor in interest to  
INTERNATIONAL HEATER COMPANY  
THE CORPORATION TRUST CO.  
277 PARK AVENUE  
NEW YORK, NY 10017

J.A. GREEN CONSTRUCTION CORP.  
UNKNOWN AT PRESENT TIME

MARSHFIELD DOOR SYSTEMS, INC.  
1401 EAST FOURTH STREET  
MARSHFIELD, WI 54449-7780

MAZDA MOTOR CORP.  
7755 IRVINE CENTER  
IRVINE, CA 92618



As of 3/8/07

MAZDA MOTOR CORP.  
3-1 SHINCHI, FUCHU-CHO  
AKI-GUN, HIROSHIMA

MORGAN MANUFACTURING COMPANY  
523 OREGON STREET  
P.O. BOX 2446  
OSHKOSH, WI 54903

PUMA GENERAL CONTRACTING, INC.  
GERARD GRACI  
312 PRESTON AVENUE  
STATEN ISLAND, NY 10312

QUIMBY EQUIPMENT CO., INC.  
35 CENTRAL DRIVE  
EAST FARMINGDALE, NEW YORK 11735  
PHONE# (631)454-8411  
FAX # (631) 454-8417

SEALITE CORP., INC.  
112 OLD CONNECTICUT PATH E  
WAYLAND, MA 01778

SQUARE D COMPANY  
1415 SOUTH ROSELLE ROAD  
PALATINE, IL 60067-7399

THE BETHLEHEM CORPORATION, t/k/a THE FEDERAL BOILER COMPANY (no good - no forwarding address)  
25TH AND LENNOX STREETS  
EASTON, PA 18045

THE BETHLEHEM CORPORATION  
41 STATE STREET  
ALBANY, NY 12207

VENTNORE ASBESTOS CO., INC.  
SECRETARY OF STATE  
41 STATE STREET  
ALBANY, NY 12207

VOLKSWAGON A.G.  
BERLINER RING 1  
D-38436  
WOLFSBURG, GERMANY

VOLKSWAGON, as successor in interest to AUDI  
JOSEPH S. FOLZ  
3800 HAMLIN RD.  
AUBURN HILLS, MI 48326

Exhibit D

## CURRICULUM VITAE

SHELDON H. RABINOVITZ, Ph.D., C.I.H.

### Work History: 1989-Present

Vice President  
Sandler Occupational Medicine Associates  
Rockville, MD

- Manage all SOMA industrial hygiene and toxicology projects including indoor air quality evaluations, lead and asbestos exposure and remediation projects, chemical risk assessments and recommended controls, worker right-to-know, hazardous waste evaluation and remediation projects, and respirator programs including selection, fit testing, and program design; in-plant evaluations to identify, quantify and control health hazards; and provide expert witness services. Expert witness services include product liability, workers' compensation, and exposure modeling.
- Provide occupational health training to governmental agencies and private companies. Prepare Material Safety Data Sheets (MSDSs) and warning labels for products. Periodically assist governmental agencies in support of their occupational health programs. Identify exposure profiles by reconstruction and other data evaluation for epidemiology studies.
- Manage budgets, direct associates (part-time consultants to the company), and develop marketing strategies for the division. Set-up SOMA instrument laboratory.

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1989-1992

Consultant Expert, (part-time employee) Environmental Protection Agency  
Washington, D.C.

- Assist Agency in protecting the health of its employees.

1987-1989

Manager, Industrial Hygiene and Safety  
Environmental Protection Agency  
Washington, D.C.

- Develop and implement industrial hygiene and safety programs to protect the health and safety of all EPA employees. Such programs include laboratory chemical evaluations; indoor air pollution surveys; evaluations of health and safety concerns at hazardous waste sites; recommendations for protecting EPA inspectors at manufacturing sites, service industries, and building renovations; and demolitions involving asbestos.



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Printed 11/13/06

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Page 2

- Participate in EPA research programs involving hazardous waste activities including sampling procedures and use of personal protective equipment.
- Participate in the development of training modules for EPA employees as part of the overall health and safety program.
- Perform audits to determine compliance of various EPA facilities to applicable standards.
- Participate in EPA Asbestos Action and hazardous waste committees.

1984-1987

Senior Scientist  
National Institute for Occupational Safety and Health  
Cincinnati, OH

General Responsibilities:

- Review and assist in preparation of criteria documents, current intelligence bulletins relating to occupational safety and health conditions, and other NIOSH informational publications for accuracy and provide additional input where applicable.
  - Serve on committees to establish NIOSH priorities, needs and policies.
  - Review technical materials from an industrial hygiene, safety, and toxicological standpoint.
  - Assist in the preparation of NIOSH position papers and interact with other Federal Agencies to coordinate government occupational health and safety policies.
- 
- Serve as a resource expert for inquiries to Center for Disease Control on asbestos and several other topics.

Specific Assignments:

- Chairman of NIOSH Respiratory Protection Committee, which prepared revised Respirator Decision Logic published in 1987.
- Chairman of an interagency work group including NIOSH, EPA, Occupational Safety and Health Administration (OSHA) and the U.S. Coast Guard which completed its first task of preparing a comprehensive manual entitled "Occupational Safety and Health Guidance Manual or Hazardous Waste Site Activities."

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- Prepare a hazard alert on the effects of acute exposures to certain halogenated solvents.

1984-1989

Private Consultant Services

- Perform expert witness services including product liability and warning labels, indoor air pollution, and workers' compensation.
- Conduct facility walkthroughs as well as chemical and physical agent sampling surveys to identify and correct health and safety hazards in both occupational and residential settings.

1978-1984

Manager, Industrial Hygiene Services, Science Applications International Corporation, (formerly IRB Associates)  
McLean, VA

- Manage all SAIC commercial industrial hygiene and indoor air pollution projects. Project sizes ranged from the OSHA Louisiana Small Business Health and Safety Consultation Program and a comprehensive survey of a major oil refinery to office air quality studies. These projects involved work in a wide range of industries including: chemical, foundry, glass, pharmaceutical, textile, printing, aerospace, assembly, ship building and repair, paint, and others. Hazard evaluations included both ionizing and nonionizing radiation, chemical exposures, lasers, heat stress, confined space hazards, eye protection, explosions, and fire.
- Prepare proposals, marketing strategy, and advertising material including brochures. Cost all projects and assume responsibility for product delivery within budget. Hire and train personnel.
- Set up and manage an instrument laboratory and assist in obtaining American Industrial Hygiene Association (AIHA) accreditation for the company's trace chemistry laboratory.
- Prepare sampling strategies, position papers, and corporate policies; review company reports and criteria documents for the Consumers Product Safety Commission (CPSC), EPA, Office of Toxic Substances, NIOSH and private companies.
- Conduct investigations, case reviews, and industrial hygiene surveys in preparation to provide expert witness services.

Sheldon H. Rabinovitz, Ph.D., C.I.H.  
Page 4

1973-1978

Industrial Hygienist (1973-1974)  
Senior Industrial Hygienist (1974-1978)  
Ford Motor Company  
Dearborn, MI

- Supervise up to six industrial hygienists with responsibility to provide industrial hygiene services to one-half of the company's North American Operations, including approximately 50 plants employing up to 5,000 persons per plant.
- Review all chemicals used in maintenance operations and some production materials from a toxicological standpoint to provide warning labels, recommend personal protection and engineering controls based on intended use.
- Conduct comprehensive industrial hygiene surveys to appraise management of health hazards and degree of OSHA compliance and recommend solutions to insure a healthful working environment. Surveys were often conducted with the assistance of local safety engineers to identify all safety and health hazards.
- Prepare and conduct training seminars for company safety engineers and union health and safety representatives in the recognition and measurement of certain industrial hygiene hazards; also prepare and conduct training programs to fulfill OSHA training requirements.
- Provide expert witness services to the Office of General Council.
- Assist in providing corporate guidelines for compliance with OSHA Standards.

1972-1973

Industrial Hygienist and Toxicologist  
BASF Wyandotte Corporation  
Wyandotte, MI

- Conduct comprehensive industrial hygiene surveys including analysis of heavy metals, acids and bases, and spectrophotometric analysis of solvent vapors and isocyanates.
- Inform management of identified health hazards and recommend corrective actions.
- Provide industrial hygiene consultative services for company customers.
- Perform toxicological evaluation of in-plant chemicals and prepare recommendations for the safe use of company products by customers.

Sheldon H. Rabinovitz, Ph.D., C.I.H.  
Page 5

1970-1972	<p>Chemist (part-time) IHL-Kemron (formerly Environmental Health Laboratories) Farmington, MI</p> <ul style="list-style-type: none"> <li>• Perform quantitative analysis of water, air and biological samples.</li> </ul>
1964-1967	<p>Chemist (part-time) Department of Occupational and Environmental Health College of Medicine Wayne State University Detroit, MI</p> <ul style="list-style-type: none"> <li>• Perform routine quantitative calorimetric analyses of biological specimens and air samples for heavy metals. Assist in research projects to develop new analytical methods.</li> </ul>
Certifications:	<p>Certified Industrial Hygienist, 1974, #853 Certified Asbestos Inspector (EPA AHERA Regulation) Jan., 1989 Certified Asbestos Management Planner (EPA AHERA Regulation), January, 1989</p>
Education:	<p>B.S., Chemistry, Wayne State University, Detroit, MI, 1966, Major: Analytical Chemistry</p> <p>M.S., Occupational and Environmental Health, College of Medicine, Wayne State University, Detroit, MI, 1969, Major: Industrial Hygiene</p> <p>Ph.D., Physiology and Pharmacology, College of Medicine, Wayne State University, Detroit, MI, 1972, Major: Toxicology</p>
Short Courses:	<p>Industrial Ventilation Conference, Michigan State University, Lansing, MI, 1973 Noise Control Engineering, Institute of Noise Control, Bethlehem, PA, Certificate Number 385, 1973 Principles and Practices of Industrial Toxicology, College of Medicine, Wayne State University, Detroit, MI, 1976 (36 hours of continuing medical education) Hazardous Waste Remedial Action Course, Environmental Protection Agency, Cincinnati, Ohio, 1987 (40 hours)</p>
Awards:	<ul style="list-style-type: none"> <li>• Public Health Service Fellowship, 1967-1971</li> <li>• NIOSH Special Service Award, 1985</li> <li>• U.S. EPA Assistant Administrator's Award, 1988</li> </ul>

Sheldon H. Rabinovitz, Ph.D., C.I.H.  
Page 6

**Teaching:**

1985-1995	NIOSH Respirator Protection Course, Course Development and Instruction
1996-Present	University of Maryland, College Park, Maryland, Biosystems Responses to Environmental Stimuli, Course #484, Develop and Provide lecture on Toxicological Aspects of Environmental Stimuli
1978-1982	George Washington University, Washington, D.C., Environmental Health Graduate Program, Guest Lecturer
1977	Michigan Department of Public Health, Detroit, MI, Workplace Monitoring Seminar, Guest Lecturer
1975-1978	Henry Ford Community College, Dearborn, MI, Instructor <ul style="list-style-type: none"><li>• Develop and teach courses including noise control, industrial toxicology, and air pollution.</li></ul>
1973-Present	Wayne State University, College of Medicine, Department of Occupational and Environmental Health, Detroit, MI, Guest Lecturer
1981-1982	Northern Virginia Community College, Alexandria, VA, Instructor

**Professional Societies and Memberships:**

American Academy of Industrial Hygiene, member

American Industrial Hygiene Association (AIHA), member

Invited panel member of mycotoxin workshop AIHA, March 1998

Baltimore-Washington Local section of the AIHA, member

Respirator Protection Committee, AIHA, member

Respirator training subcommittee of Respiratory Protection Committee  
AIHA - chairman

Indoor air quality committee, AIHA, corresponding member

Subcommittee of IAQ Committee, AIHA on review of Health Hazards  
from Exposure to Mycotoxin Fungi in indoor environments, member



Sheldon H. Rabinovitz, Ph.D., C.I.H.  
Page 7

**Professional Societies and Memberships - Cont'd:**

Hazardous Waste Subcommittee of the AIHA Respirator Committee,  
former chairman

American Conference of Governmental Industrial Hygienists (ACGIH), member

Michigan Industrial Hygiene Association, former member

Board of Directors of the Michigan Industrial Hygiene Society, 1975-1977,  
member

Henry Ford Community College Advisory Industrial Health and Safety Council,  
former member

Motor Vehicles Manufacturer Association ad hoc Committee to review the NIOSH  
Sulfuric Acid Criteria Documents, former chairman

Motor Vehicles Manufacturer Association ad hoc Committee for NIOSH Criteria  
Documents on Beryllium, Benzene and Chromates, former member

Mid-Maryland American Lung Association, former board member

Sigma Xi, scientific research society, member

**Publications and Presentations:**

Rabinovitz, S.H., "Interpreting Health Standards to Identify The Most Cost-  
Effective Protection," Asbestos Abatement Report, Editorial Analysis, March  
1992.

Rabinovitz, S.H. "Health Effects of Carbon Monoxide," Contract Number CPSC-  
C-79-1052 for the Consumer Products Safety Commission, 1980.

Rabinovitz, S.H., Kleiner, G., Weitzman, D. and Wiltshire, G. Occupational Safety  
and Health Guidance Manual for Hazardous Waste Site Activities, DHHS  
(NIOSH) Publication No. 85-115, 1985.

Keane, L. and Rabinovitz, S.H. Draft Report, "Strategies for Setting Standards for  
Short-Term High-Level Exposures," Contract Number DAMD 17-79-C-9159 for  
the United States Army, 1980.

Author of chapter on Respiratory Protection in Hazardous Chemicals Desk  
Reference by Sax, I.R. and Lewis, R.J., Van Nostrand Reinhold Company, New  
York, 1987.

Sheldon H. Rabinovitz, Ph.D., C.I.H.  
Page 8

Publications and Presentations -- Cont'd:

NIOSH Respiratory Protection Committee, Sheldon H. Rabinovitz, Chairman.  
NIOSH Respirator Decision Logic, DHHS (NIOSH) Publication Number 87-108,  
1987.

Rabinovitz, S.H. "Mercury in the Brains of Gerbils Chronically Exposed to  
Mercury Vapor and to Mercuric Nitrate," (update of doctoral thesis), presented at  
the American Industrial Hygiene Conference, Miami, 1974.

Piper, Stephen and Rabinovitz, Sheldon, "Quantification of Asbestos Airborne  
Emissions Associated with Renovation Projects," ECON, Environmental  
Contractor, February, 1990.

Ludington, J.A., Rabinovitz, S.H. and Mahar, H. "Determination of Organic and  
Inorganic Mercury Emissions, Employee Exposures, and Waste Stream  
Concentrations During Use of Methyl Mercury Hydroxide as a Denaturing Agent,"  
presented at the American Industrial Hygiene Conference, Cincinnati, 1982.

Contributing Author for Respiratory Protection: A Manual and Guideline, 2nd  
Edition, American Industrial Hygiene Association, June, 1991.

Co-Author of a paper on "OSHA-Required Employee Training under the Coke-  
Oven Emissions Standard," presented at the American Public Health Association  
Conference, Washington, D.C., 1977.

Rabinovitz, Sheldon and Weitzman, David, et al. Health and Safety Guidelines for  
EPA Asbestos Inspectors, (revised), Office of Administration and Resource  
Management, U.S. EPA, 1991.

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NIOSH. Criteria for Recommended Standard Welding, Brazing and Thermal  
Cutting, U.S. Dept. of Health and Human Services, Pub. No. 88-110, 1988,  
contributing author.

NIOSH. A Recommended Standard for Occupational Exposure to Radon Progeny  
in Underground Mines, U.S. Department of Health and Human Services, 1987,  
contributing author.

NIOSH. Recommendations for Control of Occupational Safety and Health  
Hazards...Foundries, U.S. Department of Health and Human Services, 1985,  
contributing author.

NIOSH. Pocket Guide to Chemical Hazards, U.S. Department of Health and  
Human Services, fifth printing, 1985, contributing author.

Publications and Presentations -- Cont'd:

Sheldon H. Rabinovitz, Ph.D., C.I.H.  
Page 9

United States Congress, present testimony and respond to questions at a congressional hearing on H.R. 2919 entitled the "Indoor Air Act of 1993" on November 1, 1993, on behalf of the National Association of Manufacturers.

Occupational Safety and Health Administration, present testimony and respond to questions on behalf of the Workplace Health and Safety Council at the OSHA hearings for their proposed Standard on Indoor Air Quality (29 CFR Parts 1910, 1915, 1926 and 1928).

Forum on a Critical Review of Health Hazards from Exposure to Mycotoxic Fungi in Indoor Environments presented at the American Industrial Hygiene conference, Orlando, Florida, 2000 (panel speaker).

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J.A.S. Part 39

Index No. 114120-06

IN RE: NEW YORK CITY  
ASBESTOS LITIGATION

CHRISTIAN F. HOLINKA,

Plaintiff,

against

A.W. CHESTERTON COMPANY, et al.,

Defendants.

AFFIDAVIT OF TIMOTHY J. FRASER

DRINKER BIDDLE & REATH LLP  
140 Broadway, 39<sup>th</sup> Floor  
New York, New York 10005-1116  
(212) 248-3140

Attorneys for Defendant, BAXTER HEALTHCARE, INC.